IN THE

Supreme Court of the United States

OCTOBER TERM, 1960

No. 575

SWIFT & COMPANY, ARMOUR AND COMPANY, and THE CUDAHY PACKING COMPANY, *et al.*, *Appellants*,

v.

UNITED STATES OF AMERICA, *Appellee*

On Appeal from the United States District Court for the Northern District of Illinois

OBJECTION OF APPELLANTS TO MOTION FOR LEAVE TO FILE BRIEF AS AMICI CURIAE

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IN THE

Supreme Court of the United States

OCTOBER TERM, 1960

No. 875

SWIFT & COMPANY, ARMOUR AND COMPANY, and THE CUDAHY PACKING COMPANY, et al., *Appellants*,

v.

UNITED STATES OF AMERICA, *Appellee*

On Appeal from the United States District Court for the Northern District of Illinois

OBJECTION OF APPELLANTS TO MOTION FOR LEAVE TO FILE BRIEF AS AMICI CURIAE

Pursuant to Paragraph 3 of Rule 42 of the Revised Rules of the Supreme Court, appellants herein respectfully submit their reasons for withholding consent to the filing of a brief as amici curiae by Western States Meat Packers Association, Inc., Texas Independent Meat Packers Association, Luer Packing Company, Pacific Meat Company, Inc., McFarland, Inc., and Modesto Meat Company.

The movants can contribute nothing to the Court's full consideration of this case that the Government cannot contribute. Movants concede that the Government was comprehensive in its opposition to modification in the trial of the instant petitions, and there is no reason to assume that the Government would be any less comprehensive in asserting its opposition on appeal. The movants contend

(pp. 2-3), however, that they constitute a class protected by the decree, and that their interest is not adequately protected by the Government, because the Government represents the interest of the general public.

Appellants believe that the public interest in free competition, as protected by the antitrust laws, is the only interest appropriately to be considered in this case. To the extent that the interest of the movants coincides with the public interest, it is adequately represented. To the extent that their interest differs, it is not entitled to representation.

Respectfully submitted,

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